IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 7TH AUGUST 2006 / 16TH SRAVANA 1928

WP(C).No. 19667 of 2006(N)

PETITIONER:

MOHAMMED ABDUL SATAR SAIT,
S/O.LATE HAJI HASSAN YAKOOB SAIT,
AGED 61 YEARS,MANAGER,HAJI HASSAN YACOOB SAIT
MEMORIAL UPPER PRIMARY SCHOOL,
KUTEETHERUVU, KAYAMKULAM, ALAPPUZHA.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY THE
SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
ALAPPUZHA.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KAYAMKULAM, ALAPPUZHA DISTRICT.

BY GOVT.PLEADER SRI.T.T.MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/08/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1: TRUE COPY OF ORDER DT. 7/7/2005 OF R3.

EXT.P2: TRUE COPY OF LETTER OF PETR.

EXT.P3: TRUE COPY OF ORDER DT. 18/1/2006 OF R3.

EXT.P4: TRUE COPY OF REPRESENTATION FILED BEFORE GOVT.

EXT.P5: TRUE COPY OF LETTER OF GOVT.

EXT.P6: TRUE COPY OF JUDGMENT IN WP.12317/06.

EXT.P7: TRUE COPY OF ORDER OF R2 DT. 15/6/2006.

EXT.P8: TRUE COPY OF LETTER OF M ANAGER FILED BEFORE R2.

EXT.P9: TRUE COPY OF ORDER OF A.E.O.

EXT.P10: TRUE COPY OF APPEAL PETITION BEFORE R2.

A.K. Basheer, J.

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W.P(C) No. 19667 of 2006-N

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Dated this the 7th day of August, 2006.

J U D G M E N T

Petitioner who is stated to be the Manager of an aided Upper Primary School had challenged the order of staff fixation for the academic year 2005-2006. In Ext.P7 order the Deputy Director of Education had issued certain directions considering the objection raised by the petitioner. One such direction issued to the Asst.Educational Officer was to apply 1:40 teacher-student ratio and to re-cast the staff fixation order. Learned counsel submits that pursuant to the above direction, the A.E.O has passed Ext.P9 order by which the grievance of petitioner has been partially redressed.

2. However petitioner has preferred Ext.P10 revision petition before respondent No.2 challenging the above order of the A.E.O with the grievance that the A.E.O has not fully complied with the directions issued by respondent No.2 Learned counsel submits that the petitioner would be satisfied if a direction is issued to respondent No.2 to consider and pass orders on Ext.P10 expeditiously. Learned Govt. Pleader submits that if Ext.P10 has been preferred by the petitioner as contended, an appropriate decision thereon will be taken in accordance with law.

Therefore respondent No.2 is directed to consider and pass orders on Ext.P10 strictly on its merit and in accordance with law as expeditiously as possible, at an rate within six weeks from the date of receipt of a copy of this judgment. Needless to mention that the

petitioner shall be afforded sufficient opportunity to be heard before any orders are passed on ext.P10.

Petitioner shall produce a copy of the writ petition and a certified copy of the judgment before respondent No.2 for compliance.

A.K. Basheer
Judge.

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